

1-1 By: Carona S.B. No. 186  
 1-2 (In the Senate - Filed January 18, 2013; January 29, 2013,  
 1-3 read first time and referred to Committee on Health and Human  
 1-4 Services; February 18, 2013, reported favorably by the following  
 1-5 vote: Yeas 6, Nays 1; February 18, 2013, sent to printer.)

1-6 COMMITTEE VOTE

|                 | Yea | Nay | Absent | PNV |
|-----------------|-----|-----|--------|-----|
| 1-7 Nelson      | X   |     |        |     |
| 1-8 Deuell      | X   |     |        |     |
| 1-9 Huffman     | X   |     |        |     |
| 1-10 Nichols    |     | X   |        |     |
| 1-11 Schwertner | X   |     |        |     |
| 1-12 Taylor     | X   |     |        |     |
| 1-13 Uresti     | X   |     |        |     |
| 1-14 West       |     |     | X      |     |
| 1-15 Zaffirini  |     |     | X      |     |

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the abatement of mosquitoes in stagnant water located  
 1-20 on certain uninhabited residential property.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-22 SECTION 1. Subchapter B, Chapter 341, Health and Safety  
 1-23 Code, is amended by adding Section 341.019 to read as follows:

1-24 Sec. 341.019. MOSQUITO CONTROL ON UNINHABITED RESIDENTIAL  
 1-25 PROPERTY. (a) Notwithstanding any other law, a municipality,  
 1-26 county, or other local health authority may abate, without notice,  
 1-27 a public health nuisance under Section 341.011(7) that:

1-28 (1) is located on residential property that is  
 1-29 reasonably presumed to be abandoned or that is uninhabited due to  
 1-30 foreclosure; and

1-31 (2) is an immediate danger to the health, life, or  
 1-32 safety of any person.

1-33 (b) A public official, agent, or employee charged with the  
 1-34 enforcement of health, environmental, or safety laws may enter the  
 1-35 premises described by Subsection (a) at a reasonable time to  
 1-36 inspect, investigate, or abate the nuisance.

1-37 (c) In this section, abatement is limited to the treatment  
 1-38 with a mosquito larvicide of stagnant water in which mosquitoes are  
 1-39 breeding.

1-40 (d) The public official, agent, or employee shall post on  
 1-41 the front door of the residence a notice stating:

1-42 (1) the identity of the treating authority;

1-43 (2) the purpose and date of the treatment;

1-44 (3) a description of the areas of the property treated  
 1-45 with larvicide;

1-46 (4) the type of larvicide used; and

1-47 (5) any known risks of the larvicide to humans or  
 1-48 animals.

1-49 SECTION 2. This Act takes effect immediately if it receives  
 1-50 a vote of two-thirds of all the members elected to each house, as  
 1-51 provided by Section 39, Article III, Texas Constitution. If this  
 1-52 Act does not receive the vote necessary for immediate effect, this  
 1-53 Act takes effect September 1, 2013.

1-54 \* \* \* \* \*